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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/685,669	10/15/2003	Robert E. Marshall	FCI-2722/C3500	5653
23377	7590	07/28/2004	EXAMINER	
WOODCOCK WASHBURN LLP ONE LIBERTY PLACE, 46TH FLOOR 1650 MARKET STREET PHILADELPHIA, PA 19103			NGUYEN, TRUC T	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/685,669	Applicant(s) MARSHALL ET AL. OK	
	Examiner Truc T. T. Nguyen	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/30/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 6-12, and 29-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Someda et al. (US 6,325,664).

Regarding claim 1, Someda et al. discloses a modular jack, comprising:

a jack body (10) having top, bottom, front, and rear walls;

a plug receiving opening (28) in the front wall; and

an LED assembly receiving pocket (32, 33) in the front wall, the pocket comprising an opening in the front wall and an opening in the bottom wall, wherein the openings in the front and bottom walls substantially correspond to the width and length of an LED assembly (14a, 14b) to be inserted in the pocket such that the LED assembly can be inserted from both the front wall and the bottom wall.

Regarding claim 2, Someda et al. disclose the LED assembly is retained within the pocket by an adhesive (column 3, line 46).

Regarding claim 6, Someda et al. disclose a modular jack, comprising:

a visual indicator (14a, 14b) for indicating a condition of an electrical signal; and

a body (10) capable of receiving at least a portion of a connector plug, the body having a first outer surface located in a first plane, and a second outer surface located in a second plane substantially perpendicular to the first plane, the body defining a pocket (32, 33) for receiving at least a portion of the visual indicator, the pocket extending into the body from the first and the second outer surfaces so that the at least a portion of the visual indicator can be inserted into the pocket in a first direction substantially perpendicular to the first plane, and in a second direction substantially perpendicular to the second plane.

Regarding claim 7, Someda et al. disclose the pocket is defined at least in part by an outboard inner surface and an opposing inboard inner surface of the body, a top inner surface of the body, and a rear inner surface of the body.

Regarding claim 8, Someda et al. disclose the outboard and inboard inner surfaces are substantially perpendicular, and the upper and rear inner surfaces are substantially perpendicular to the outboard and inboard inner surfaces.

Regarding claim 9, Someda et al. disclose at least a portion of the visual indicator is retained in the pocket by an adhesive bond (column 3, line 46) between a surface of the visual indicator and at least one of the outboard, inboard, rear, and upper inner surfaces.

Regarding claim 10, Someda et al. disclose the visual indicator comprises an LED, and the outboard and inboard inner surfaces are spaced apart by a distance approximately equal to a width of the LED.

Regarding claim 11, Someda et al. disclose the visual indicator further comprises a terminal (43) electrically coupled to and extending downward from the LED.

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Regarding claim 12, Someda et al. disclose the outboard inboard, and upper inner surfaces each have a length approximately equal to a length of the LED, the outboard, inboard, and rear inner surfaces each have a height approximately equal to a height of the LED, and the rear inner surface has a width approximately equal to a width of the LED.

Regarding claim 29, Someda et al. disclose a modular jack, comprising:

an LED assembly (14a, 14b) comprising an LED and a terminal (43) electrically coupled to the LED; and

a body (10) having a front and a bottom outer wall, the body having a first pocket (32) formed therein for receiving a connector plug and defined at least in part by the front wall, the body also having a second pocket (33) formed therein for receiving the LED, the second pocket being formed at least in part by the front and the bottom outer walls so that the LED can be inserted into the second pocket from the front and the bottom of the body.

Regarding claim 30, Someda et al. disclose the second pocket is defined at least in part by an outboard inner surface and an opposing inboard inner surface of the body, a top inner surface of the body, and a rear inner surface of the body.

Regarding claim 31, Someda et al. disclose the LED is retained in the second pocket by an adhesive bond (column 3, line 46) between a surface of the LED and at least one of the outboard, inboard, upper, and rear inner surfaces.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 13-14 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Someda et al. (US 6,325,664) in view of Baxter et al. (US 5,897,386).

Someda et al. substantially disclose the claimed invention except a crush rib in the pocket.

Baxter et al. teach a crush rib (62).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a crush rib into Someda et al. 's pocket, as taught by Baxter et al. for press fitting and retaining means.

5. Claims 4-5, 15-28, 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Someda et al. (US 6,325,664) in view of Espendshade (US 6,457,993).

Someda et al. substantially disclose the claimed invention except for a lip and a shield

Espendshade teaches a lip (222).

Espendshade teach a shielding (5) with two openings (531).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a lip and a shielding into Someda et al.'s connector, as taught by Espendshade for retaining the LED and minimizing electromagnetic interference respectively.

6. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Someda et al. (US 6,325,664) in view of Baxter et al. (US 5,897,386) and Espendshade (US 6,457,993).

Someda et al. in view of Baxter et al. and Espendshade disclose the claimed invention.

The rejection is the same as rejection of claims 1-35.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. T. Nguyen whose telephone number is 571-272-2011. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on 571-272-2800 extension 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. T. Nguyen
Primary Examiner
Art Unit 2833

A handwritten signature in black ink, appearing to be 'Truc T. T. Nguyen', written over the printed name and title.